

Message

From: Butts, Stephen (BRI) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MASSMAIL-01/CN=RECIPIENTS/CN=STEPHEN.G.BUTTS]
Sent: 8/13/2011 3:14:49 AM
To: Khan, Annie (DPH) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=Annie.Khan]
Subject: RE: Assistance needed

one more question if you please. would your exam have noted a purity level? The cert. does not indicate what it was but I was wondering if your notes might reflect it?

From: Khan, Annie (DPH)
Sent: Friday, August 12, 2011 1:00 PM
To: Butts, Stephen (BRI)
Subject: RE: Assistance needed

All is well. And you?

We retain data for 15 years at the Drug Lab. So I can send the general discovery packet, which would include the Drug Receipt and notes for the case. Because it was a 2007 case, I do not think we have the return to police log, but I will check.

I have not had the opportunity to testify without the drugs. But our notes will have a description of the sample. I do not see a problem.

Go for it

Annie
Drug Analysis Lab
617-983-6631 (work)
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From: Butts, Stephen (BRI)
Sent: Thursday, August 11, 2011 4:53 PM
To: Khan, Annie (DPH)
Subject: Assistance needed

How are you? I apologize for bothering you but I have another unusual question. I have to prosecute the case of Com. v. [REDACTED] a trafficking Cocaine 200+ case. It is a Melendez-Diaz retrial. The first conviction was in April of 2007. The Lab # is [REDACTED] I believe you were the Primary Analyst and Della Saunders was the Confirmatory Analyst.

The new defense Atty. filed a Motion to allow his expert to conduct an independent analysis to include re-weighing the seized substance and inspection of Chain of Custody Logs. The Judge allowed the Motion but the Police have already destroyed the drugs.

My question to you is, do you still have your notes and test results on file? Do you still have your end of the chain of custody logs? As far as you are concerned, are there any obstacles that you can think of that would prevent us from going forward even though we do not have the drugs to introduce.

I have a MTS, (with these issues to be argued), scheduled for next Wednesday. I know you are super busy but if you could get back to me before then it would really be helpful.